

1 AN ACT in relation to State grants.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Senior Citizens and Disabled Persons
5 Property Tax Relief and Pharmaceutical Assistance Act is
6 amended by changing the title and Sections 1, 2 and 4 as
7 follows:

8 (320 ILCS 25/Act title)

9 An Act in relation to the payment of grants to enable the
10 elderly, and the disabled, and lower income persons to
11 acquire or retain private housing and to enable the elderly
12 and the disabled to acquire prescription drugs.

13 (320 ILCS 25/1) (from Ch. 67 1/2, par. 401)

14 Sec. 1. Short title. This Article ~~shall be known and~~ may
15 be cited as the "~~Senior--Citizens--and--Disabled--Persons~~
16 Property Tax Relief and Pharmaceutical Assistance Act". As
17 used in this Article, "this Act" means this Article.

18 (Source: P.A. 83-1531.)

19 (320 ILCS 25/2) (from Ch. 67 1/2, par. 402)

20 Sec. 2. Purpose.

21 The purpose of this Act is to provide incentives to the
22 senior citizens, and disabled persons, and lower income
23 persons of this State to acquire and retain private housing
24 of their choice and at the same time to relieve those
25 citizens from the burdens of extraordinary property taxes
26 against their increasingly restricted earning power, and
27 thereby to reduce the requirements for public housing in this
28 State.

29 (Source: P.A. 77-2059.)

(320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

Sec. 4. Amount of Grant.

(a) In general. Any individual 65-years-or-older-or-any individual-who-will-become-65-years-old-during--the--calendar year--in--which-a-claim-is-filed,-and-any-surviving-spouse-of such-a-claimant,-who-at-the-time-of--death--received--or--was entitled--to--receive-a-grant-pursuant-to-this-Section,-which surviving-spouse-will-become-65-years-of-age--within--the--24 months--immediately--following-the-death-of-such-claimant-and which-surviving-spouse-but-for-his-or-her--age--is--otherwise qualified--to--receive--a-grant-pursuant-to-this-Section,-and any-disabled-person whose annual household income is less than \$14,000-for-grant-years-before-the-1998-grant-year,-less than-\$16,000-for-the-1998-and-1999-grant-years,-and-less-than (i) \$21,218 for a household containing one person, (ii) \$28,480 for a household containing 2 persons, or (iii) \$35,740 for a household containing 3 or more persons for-the 2000-grant-year-and-thereafter and whose household is liable for payment of property taxes accrued or has paid rent constituting property taxes accrued and is domiciled in this State at the time he files his claim is entitled to claim a grant under this Act. Every January 20, the annual household income limit established in this subsection (a) shall automatically be increased or decreased, as applicable, by a percentage equal to the percentage change in the consumer price index-u during the preceding 12-month calendar year. "Consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Comptroller and made available to the Department. With respect-to-claims-filed-by-individuals--who--will--become--65

1 years-old-during-the-calendar-year-in-which-a-claim-is-filed,
 2 the--amount--of-any-grant-to-which-that-household-is-entitled
 3 shall-be-an-amount-equal-to-1/12-of-the-amount-to--which--the
 4 claimant--would--otherwise--be--entitled--as-provided-in-this
 5 Section,-multiplied-by-the-number--of--months--in--which--the
 6 claimant--was--65--in-the-calendar-year-in-which-the-claim-is
 7 filed.

8 (b) Limitation. Except as otherwise provided in
 9 subsections (a) and (f) of this Section, the maximum amount
 10 of grant which a claimant is entitled to claim is the amount
 11 by which the property taxes accrued which were paid or
 12 payable during the last preceding tax year or rent
 13 constituting property taxes accrued upon the claimant's
 14 residence for the last preceding taxable year exceeds 3 1/2%
 15 of the claimant's household income for that year but in no
 16 event is the grant to exceed (i) \$900 \$700 less 4.5% of
 17 household income for that year for those with a household
 18 income of \$18,000 \$14,000 or less or (ii) \$90 \$70 if
 19 household income for that year is more than \$18,000 \$14,000.

20 (c) Public aid recipients. If household income in one
 21 or more months during a year includes cash assistance in
 22 excess of \$55 per month from the Department of Public Aid or
 23 the Department of Human Services (acting as successor to the
 24 Department of Public Aid under the Department of Human
 25 Services Act) which was determined under regulations of that
 26 Department on a measure of need that included an allowance
 27 for actual rent or property taxes paid by the recipient of
 28 that assistance, the amount of grant to which that household
 29 is entitled, except as otherwise provided in subsection (a),
 30 shall be the product of (1) the maximum amount computed as
 31 specified in subsection (b) of this Section and (2) the ratio
 32 of the number of months in which household income did not
 33 include such cash assistance over \$55 to the number twelve.
 34 If household income did not include such cash assistance over

1 \$55 for any months during the year, the amount of the grant
2 to which the household is entitled shall be the maximum
3 amount computed as specified in subsection (b) of this
4 Section. For purposes of this paragraph (c), "cash
5 assistance" does not include any amount received under the
6 federal Supplemental Security Income (SSI) program.

7 (d) Joint ownership. If title to the residence is held
8 jointly by the claimant with a person who is not a member of
9 his household, the amount of property taxes accrued used in
10 computing the amount of grant to which he is entitled shall
11 be the same percentage of property taxes accrued as is the
12 percentage of ownership held by the claimant in the
13 residence.

14 (e) More than one residence. If a claimant has occupied
15 more than one residence in the taxable year, he may claim
16 only one residence for any part of a month. In the case of
17 property taxes accrued, he shall pro rate 1/12 of the total
18 property taxes accrued on his residence to each month that he
19 owned and occupied that residence; and, in the case of rent
20 constituting property taxes accrued, shall pro rate each
21 month's rent payments to the residence actually occupied
22 during that month.

23 (f) There is hereby established a program of
24 pharmaceutical assistance to the aged and disabled which
25 shall be administered by the Department in accordance with
26 this Act, to consist of payments to authorized pharmacies, on
27 behalf of beneficiaries of the program, for the reasonable
28 costs of covered prescription drugs. Each beneficiary who
29 pays \$5 for an identification card shall pay no additional
30 prescription costs. Each beneficiary who pays \$25 for an
31 identification card shall pay \$3 per prescription. In
32 addition, after a beneficiary receives \$2,000 in benefits
33 during a State fiscal year, that beneficiary shall also be
34 charged 20% of the cost of each prescription for which

1 payments are made by the program during the remainder of the
2 fiscal year. To become a beneficiary under this program a
3 person must be: (1) (i) 65 years or older, or (ii) the
4 surviving spouse of such a claimant, who at the time of death
5 received or was entitled to receive benefits pursuant to this
6 subsection, which surviving spouse will become 65 years of
7 age within the 24 months immediately following the death of
8 such claimant and which surviving spouse but for his or her
9 age is otherwise qualified to receive benefits pursuant to
10 this subsection, or (iii) disabled, and (2) is domiciled in
11 this State at the time he files his or her claim, and (3) has
12 a maximum household income of less than \$14,000 for grant
13 years before the 1998 grant year, less than \$16,000 for the
14 1998 and 1999 grant years, and less than (i) \$21,218 for a
15 household containing one person, (ii) \$28,480 for a household
16 containing 2 persons, or (iii) \$35,740 for a household
17 containing 3 more persons for the 2000 grant year and
18 thereafter. In addition, each eligible person must (1) obtain
19 an identification card from the Department, (2) at the time
20 the card is obtained, sign a statement assigning to the State
21 of Illinois benefits which may be otherwise claimed under any
22 private insurance plans, (3) present the identification card
23 to the dispensing pharmacist.

24 Whenever a generic equivalent for a covered prescription
25 drug is available, the Department shall reimburse only for
26 the reasonable costs of the generic equivalent, less the
27 co-pay established in this Section, unless (i) the covered
28 prescription drug contains one or more ingredients defined as
29 a narrow therapeutic index drug at 21 CFR 320.33, (ii) the
30 prescriber indicates on the face of the prescription "brand
31 medically necessary", and (iii) the prescriber specifies that
32 a substitution is not permitted. When issuing an oral
33 prescription for covered prescription medication described in
34 item (i) of this paragraph, the prescriber shall stipulate

1 "brand medically necessary" and that a substitution is not
2 permitted. If the covered prescription drug and its
3 authorizing prescription do not meet the criteria listed
4 above, the beneficiary may purchase the non-generic
5 equivalent of the covered prescription drug by paying the
6 difference between the generic cost and the non-generic cost
7 plus the beneficiary co-pay.

8 Any person otherwise eligible for pharmaceutical
9 assistance under this Act whose covered drugs are covered by
10 any public program for assistance in purchasing any covered
11 prescription drugs shall be ineligible for assistance under
12 this Act to the extent such costs are covered by such other
13 plan.

14 The fee to be charged by the Department for the
15 identification card shall be equal to \$5 for persons below
16 the official poverty line as defined by the United States
17 Department of Health and Human Services and \$25 for all other
18 persons.

19 In the event that 2 or more persons are eligible for any
20 benefit under this Act, and are members of the same
21 household, (1) each such person shall be entitled to
22 participate in the pharmaceutical assistance program,
23 provided that he or she meets all other requirements imposed
24 by this subsection and (2) each participating household
25 member contributes the fee required for that person by the
26 preceding paragraph for the purpose of obtaining an
27 identification card.

28 (Source: P.A. 90-650, eff. 7-27-98; 91-357, eff. 7-29-99;
29 91-699, eff. 1-1-01.)